

# SENATE BILL REPORT

## SSB 6609

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As Amended by House, March 13, 2008

**Title:** An act relating to specialty agricultural structures.

**Brief Description:** Limiting the charge for permits for specialty agricultural buildings.

**Sponsors:** Senate Committee on Government Operations & Elections (originally sponsored by Senators Fairley, Rasmussen, Haugen, Jacobsen, Marr, Shin and Roach).

**Brief History:**

**Committee Activity:** Government Operations & Elections: 2/04/08, 2/05/08 [DPS].  
Passed Senate: 2/16/08, 47-0.

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### SENATE COMMITTEE ON GOVERNMENT OPERATIONS & ELECTIONS

**Majority Report:** That Substitute Senate Bill No. 6609 be substituted therefor, and the substitute bill do pass.

Signed by Senators Fairley, Chair; Oemig, Vice Chair; Roach, Ranking Minority Member; Kline, McDermott and Pridemore.

**Staff:** Sharon Swanson (786-7447)

**Background:** The State Building Code Council (Council) was created by statute in 1974 to provide analysis and advice to the Legislature and the Governor's Office on state building code issues. The Council establishes the minimum building, mechanical, fire, plumbing, and emergency code requirements in Washington by reviewing, developing, and adopting the state building code. The State Building Code Act (Act) sets forth requirements through the provision of building codes to promote the health, safety, and welfare of the occupants or users of buildings and structures throughout the state.

The Act consists of regulations adopted by reference from the International Building Code (IBC), the International Residential Code (IRC), the International Mechanical Code (IMC), the National Fuel Gas Code, the International Fire Code (IFC), and the Uniform Plumbing Code and Uniform Plumbing Code Standards. In maintaining the Act, the Council must regularly review updated versions of the codes and other pertinent information and amend the Act as deemed appropriate by the Council. The Council may also issue opinions relating to the codes at the request of a local official charged with the duty to enforce the Act.

**Summary of Substitute Bill:** Specialty agricultural buildings constructed on a commercial agricultural operation require a permit and are subject to setback requirements established by

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local jurisdiction and utility easements. The dollar amount of a permit fee for a specialty agricultural building cannot exceed \$75.

Specialty agricultural structures are structures that are designed and constructed to house farm equipment, hay, grain, poultry, livestock, and other horticultural products.

Commercial agricultural operation is defined as an operation that generates an average of at least \$10,000 gross income per year from the sale of agricultural products.

Human habitation, public use, and employment where agricultural products are processed, treated, or packaged are not permitted uses of a specialty agricultural building.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Committee/Commission/Task Force Created:** No.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Staff Summary of Public Testimony on Substitute Bill:** PRO: It is difficult for farmers to pay exorbitant fees charged for permits for agriculture buildings. For example, the same building permit in Oregon can cost \$50 that costs \$8000 for a permit fee for a chicken barn in Thurston County. In Lewis County the current permit fee for a chicken barn in \$2400. A flat fee will help bring unanimity to the fees throughout the state. The proposed substitute addresses the fee inequities throughout our state. There is a disparity between counties and states. This bill addresses the disparities throughout the counties in Washington.

**Persons Testifying:** PRO: Chris Cheney, Washington Fryer Commission; Jack Field, Washington Cattlemen's Association; James Burnett, National Frame Builders Association; Jay Gordon, Executive Director of the Dairy Federation.

**House Amendment(s):** (1) Establishes a building permit charge limit for qualifying specialty agricultural structures of \$75 plus vehicle fuel costs for inspections.

(2) Specifies that the charge limit applies only if: the design for the structure has been approved by a state licensed and registered engineer, and certified to meet local conditions related to wind load, snow load, and other natural forces; and the permit application is for a structure with 2,500 square feet or less of floor area.

(3) Establishes a legislative task force on agricultural structure permits.

(4) Specifies membership, governance, and reporting requirements for the task force.

(5) Includes technical changes.